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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,505	05/02/2005	Josephus Arnoldus Henricus Kahlman	NL 021134	4342
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EXAMINER				
SHEN, KEZHEN				
ART UNIT		PAPER NUMBER		
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MAIL DATE		DELIVERY MODE		
07/20/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/533,505

Applicant(s)KAHLMAN, JOSEPHUS
ARNOLDUS HENRICUS**Examiner**

Kexhen Shen

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

A Request for Continued Examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/13/2009 has been entered.

Applicant's arguments with respect to claims 1-2 and 4-8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2 and 4-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Senshu US 2003/0103429.

Regarding claim 1, Senshu teaches a record carrier (Figs. 1A and 2, [0243] – [0253]) comprising synchronization patterns for identifying blocks of information (frame sync of Figs. 27 and 28, [0434]), said synchronization patterns comprising a part for

distinguishing one such synchronization pattern from another such synchronization pattern (Figs. 30 and 31, [0447] –[0455]), wherein the part for distinguishing the synchronization patterns consists only of the bit sequence 100 101 or of the bit sequence 010 101 (Fig. 30, [0448], [0454]) and is directly followed by any 8 bit data bit sequence except the sequence 01 11 01 11 (Fig. 30, [0448], [0454]).

Regarding claim 2, Senshu teaches a record carrier according to claim 1, characterized in that the synchronization pattern comprising a part for distinguishing the synchronization patterns consisting only of the bit sequence 100 101 or of the bit sequence 010 101 (Fig. 30, [0448], [0454]), is directly followed by a bit sequence not violating the Repeated Minimum Transition Runlength constraint ([0258]) and is directly followed by any 8 bit data bit sequence except the sequence 01 11 01 11 (Fig. 30, [0448], [0454]).

Regarding claim 4, Senshu teaches a record carrier (Figs. 1A and 2, [0243] – [0253]) comprising synchronization patterns for identifying blocks of information, said synchronization patterns comprising a part for distinguishing one such synchronization pattern from another such synchronization pattern (frame sync of Figs. 27 and 28, [0434]), wherein the part for distinguishing the synchronization patterns consists only of the bit sequence 101 001, or the bit sequence 010 100, or the bit sequence 100 100 (Fig. 30, [0448], [0454]) and is directly followed by any 8 bit data bit sequence except the sequence 01 11 01 11 (Fig. 30, [0448], [0454]).

Regarding claim 5, the limitations have been analyzed and rejected with the reasons given as set forth in claim 1 above.

Regarding claim 6, the limitations have been analyzed and rejected with the reasons given as set forth in claim 4 above.

Regarding claim 7, the limitations have been analyzed and rejected with the reasons given as set forth in claim 1 above.

Regarding claim 8, the limitations have been analyzed and rejected with the reasons given as set forth in claim 4 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kezhen Shen whose telephone number is (571) 270-1815. The examiner can normally be reached on Monday-Friday 10am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kezhen Shen/
Examiner, Art Unit 2627

/Joseph H. Feild/
Supervisory Patent Examiner, Art
Unit 2627